

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1511

IN THE MATTER OF:

Application of DAWSON'S)	
CHARTER SERVICE, INC.,)	Served March 11, 1976
for Temporary Authority)	
to Perform Regular Route)	Application No. 919
Operations - Montgomery)	
Village)	
)	
Application of DAWSON'S)	
CHARTER SERVICE, INC.,)	Application No. 920
for Certificate of Public)	
Convenience and Necessity)	Consolidated
to Perform Regular Route)	
Operations - Montgomery)	Docket No. 313
Village)	

By Applications No. 919 and 920, filed February 19, 1976, and amended February 26, 1976, Dawson's Charter Service, Inc. (Dawson) seeks temporary authority pursuant to the provisions of Title II, Article XII, Section 4(d) of the Compact and a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(b) of the Compact. Dawson proposes to transport passengers, together with their baggage, express and newspapers, as follows:

Between points in Washington, D. C. and Montgomery County, Maryland, restricted to the boarding and alighting of passengers along Maryland Route 124, Quince Orchard Road, Montgomery Village Avenue, and within the community of Montgomery Village, Maryland, further restricted to discharge only at the National Institutes of Health in Bethesda, Maryland and points in Washington, D. C. southbound; and boarding only from points in Washington, D. C. and the National Institutes of Health in Bethesda, Maryland, northbound.

From Washington, D. C. over city streets to the Maryland-D. C. line, thence over Wisconsin Avenue (U. S. Highway 240) to junction Interstate Highway 270, thence over Interstate Highway 270 to junction Montgomery Village Road, thence over Montgomery Village Road to junction Centerway Road, thence over Centerway Road to Montgomery Village Shopping Center roadways, thence over Montgomery Village Shopping Center roadways to junction Stedwick Road, thence over Stedwick Road to junction Montgomery Village Road to junction Maryland Highway 355, thence over Quince Orchard Road to junction Maryland Highway 124 to junction Maryland Highway 28, and return over same route.

Dawson would render the proposed service in motor coach equipment. As part of its application, Dawson has proposed the following fare structure: \$2.00 per passenger for a one-way trip and a \$15.00 commuter ticket valid for ten separate one-way trips. Dawson also proposed the following time schedule.

	AM	AM	AM	PM	PM	PM
Quince Orchard	----	6:45	----	----	6:35	----
Diamond Farms	----	6:50	----	----	6:30	----
Montgomery Village	6:55	7:05	7:30	6:10	6:25	6:40
N.I.H.	7:20	7:40	7:50	5:45	6:00	6:16
GEICO	7:30	7:50	8:00	5:35	5:50	6:06
Wisc. & Mass., N.W.	7:37	7:57	8:07	5:28	5:43	5:59
21st & Mass., N.W.	7:45	8:05	8:15	----	----	----
20th & Mass., N.W.	-----	-----	----	----	----	----
22nd & Mass., N.W.	-----	-----	----	5:20	5:35	5:51

	AM	AM	AM	PM	PM	PM
22nd & M St., N.W.	----	----	----	5:17	5:32	5:47
21st & Penn., N.W.	7:52	8:12	8:22	5:15	5:30	5:45
18th & Penn., N.W.	7:55	8:15	8:25	5:12	5:27	5:40
13th & H St., N.W.	7:58	8:18	8:28	5:09	5:24	5:37
12th & Penn., N.W.	8:05	8:25	8:35	5:00	5:15	5:30
Bellevue Hotel	8:00	8:35	8:45	4:45	5:05	5:20

The District of Columbia locations listed would be regular pick-up points.

Dawson currently holds Certificate of Public Convenience and Necessity No. 9. That Certificate authorizes the performance of charter operations, over irregular routes, round-trip, from points in Montgomery County, Maryland, to points in Montgomery County, Maryland, Prince George's County, Maryland, and Washington, D. C., and return.

Under Title II, Article XII, Section 4(d)(3) of the Compact, the Commission must base any decision to grant temporary authority to provide a specific service upon the findings that there is an immediate and urgent need to a point or points within a territory and that there is no carrier service capable of meeting such need. So finding, the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority.

Dawson states that a group of concerned commuter riders in Montgomery Village have sought its service because the existing carrier, Blue Lines, Inc., has filed for abandonment. See Order No. 1505, served February 19, 1976. Dawson also indicates that Blue Lines would cooperate and assist, should the temporary authority application be approved. Application No. 913 of Blue Lines currently is scheduled for public hearing commencing March 15, 1976. The Commission does not believe that the public interest requires disposition of Dawson's Application No. 919 for temporary authority prior to the hearing on Blue Lines' abandonment application.

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefor, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

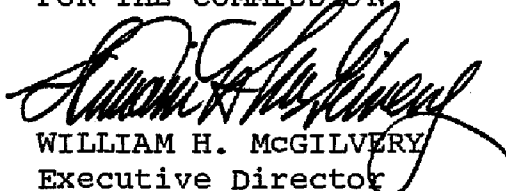
Pursuant to this mandate, the Commission shall schedule a hearing to develop an appropriate record. The Commission also shall consolidate for public hearing Dawson's Applications No. 919 and 920 pursuant to Rule of Practice and Procedure 20-02. Dawson shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

The Commission shall require Dawson to submit and be prepared to support with a competent witness a statement projecting revenues and revenue deductions, including taxes, for a one-year period, together with supporting details, including the ratio between revenue and revenue deductions, for the proposed operations. Dawson shall be directed to file six (6) copies of the statement required hereinbefore with the Commission and serve one copy on each party of record on or before Wednesday, March 31, 1976. Dawson shall be prepared to present evidence that the public convenience and necessity require the proposed service. Should Dawson elect to submit prepared testimony at the hearing, then six (6) copies of said testimony also should be filed with the Commission and one copy served on each party of record on or before March 31, 1976.

THEREFORE, IT IS ORDERED:

1. That Applications No. 919 and 920 of Dawson's Charter Service, Inc., be, and they are hereby, consolidated for the purpose of public hearing.
2. That Applications No. 919 and 920 of Dawson's Charter Service, Inc., be, and they are hereby, scheduled for public hearing to commence Tuesday, April 6, 1976, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
3. That Dawson's Charter Service, Inc., publish in a newspaper of general circulation in the Metropolitan District and post in each vehicle that it operates a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Wednesday, March 17, 1976, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.
4. That six (6) copies, the original to be submitted at the hearing, of the statement required hereinbefore and any prepared testimony be filed by Dawson's Charter Service, Inc., with the Commission together with a certificate indicating that one copy was served on each party of record on or before Wednesday, March 31, 1976.
5. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, March 26, 1976, and shall mail a copy of such protest or notice to Leonard D. Dawson, Box 144 Sandy Spring, Maryland 20860.
6. That Dawson's Charter Service, Inc., be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deliver said amount to the office of the Commission, Room 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before Wednesday, March 31, 1976.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director